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Attorney for Defendant
NOLEN PROPERTIES, LLC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOEL LYNN NOLEN; SHIRLEE NOLEN;
NOLEN PROPERTIES, LLC; NANCY
CANALE, as trustee of the Bernard Canale
and Nancy Canale 1998 Revocable Trust; and
BERNARD CANALE, by and through his
successor in interest NANCY CANALE.

Defendants.

Case No: 2:23-cv-00320-JAM-CKD

**STIPULATION AND ORDER RE
BRIEFING SCHEDULE**

Hearing Date: February 11, 2025

Hearing Time: 1:00pm

Ctrm: 6

District Judge: Hon. John A. Mendez

Trial date: May 5, 2025

Plaintiff the United States of America and Defendants Joel Nolen, Shirlee Nolen, and
Nolen Properties, LLC, stipulate as follows:

On November 22, 2024, Plaintiff filed its Motion for Partial Summary Judgment (“MSJ”) (ECF No. 85). On December 5, 2024, the parties filed a stipulation requesting deadlines of December 31, 2024 for Defendants’ oppositions and January 14, 2025 for Plaintiff’s reply. ECF No. 89. On December 6, 2024, the Court issued a minute order setting December 23, 2024 as the opposition deadline and January 6, 2025 as the reply deadline, and also re-setting the hearing date from January 28, 2025 to January 21, 2025. ECF No. 90. The parties have met and conferred regarding the re-set hearing date, deadlines for filing oppositions and reply, and counsel availability and schedules. The parties agree that good cause exists to re-set the hearing on Plaintiff’s MSJ to **February 11, 2025, at 1:00 p.m.**, with a briefing schedule matching the dates previously stipulated to by the parties.

Therefore, after meeting and conferring, the parties hereby stipulate to the following schedule regarding Plaintiff’s MSJ:

1. Defendants’ oppositions are due: December 31, 2024
2. Plaintiff’s reply is due: January 14, 2025

3. The hearing on Plaintiff's motion is reset for **February 11, 2025, at 1:00 p.m.**

RESPECTFULLY SUBMITTED,

For the United States:

DATED: December 12, 2024

PHILLIP A. TALBERT
United States Attorney
Eastern District of California

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division

/s/ Emilia P. E. Morris
EMILIA P. E. MORRIS
Assistant United States Attorney

/s/ Arielle R. L. Reid
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For the Defendants:

LEWIS BRISBOIS BISGAARD &
SMITH LLP

DATED: December 11, 2024

By: /s/ John S. Poulos
JOHN S. POULOS
JEFFREY E. SCHULTZ
Attorneys for Defendants JOEL NOLEN and
SHIRLEE NOLEN

SIERRA LAW CENTER, APC

DATED: December 11, 2024

By: /s/ Jacob Zamora
JACOB ZAMORA
Attorneys for Defendant
NOLEN PROPERTIES, LLC

ORDER

Good cause appearing, and the parties having stipulated,

IT IS HEREBY ORDERED that

1. Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment is due December 31, 2024.
2. Plaintiff's Reply to Plaintiff's Motion for Partial Summary Judgment is due January 14, 2025.
3. The hearing on Plaintiff's Motion for Partial Summary Judgment is RESET for **February 11, 2025, at 1:00 p.m.**

IT IS SO ORDERED.

Dated: December 12, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE